

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SANDY J. BATTISTA,  
Plaintiff,

vs.

KATHLEEN M. DENNEHY, Commissioner, et al.,  
Defendant's.

1:52

C.A.NO.

05-11456-DPW

ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER

Upon the Complaint, and the Memorandum of Law submitted herewith, it is:

ORDERED that the defendant, Kathleen M. Dennehy, Commissioner, in the above captioned matter show cause in room \_\_\_\_\_ of the United States Courthouse, 1 Courthouse Way, Boston, Mass. 02210 on the \_\_\_\_\_ day of \_\_\_\_\_, 2005, at \_\_\_\_\_ o'clock, why preliminary injunction should not issue pursuant to Rule 65(a) of the Federal Rules of Civil Procedure enjoining the defendant, her successor's in office, agents, and employees and all other persons acting in concert and participation with them, from providing the plaintiff, Sandy J. Battista, with the medical treatment prescribed by a Dr. Maria Warth on April 12, 2005, recommended by medical professionals at the Fenway Community Health Center on November 16, 2004, and as previously approved by the Treatment Center's in-house physician, Dr. Friedman on April 14, 2005, as well as the Treatment Center's Health Services Administrator, Maryanne Percuoco.

IT IS FURTHER ORDERED that effective immediately, and pending the hearing and determination of this order to show cause, the

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defendant, Kathleen M. Dennehy, Commissioner, in the above captioned matter and each of her officers, agents, employees, and all persons acting in concert or participation with them, are restrained from withholding plaintiff's medical treatment prescribed by a Dr. Maria Warth on April 12, 2005, as recommended by medical professionals with the Fenway Community Health Center on November 16, 2004, and as previously approved by the Treatment Center's in-house physician, Dr. Friedman and Health Services Administrator, Maryanne Percuoco.

IT IS FURTHER ORDERED that this order to show cause, and all other papers attached to this application, shall be served on defendant, Kathleen M. Dennehy, Commissioner, whose address is located at: 50 Maple Street, Suite 3, Milford, Mass. 01757-3698, by \_\_\_\_\_, 2005, and the United States Marshals Service is hereby directed to effectuate such service.

Dated: \_\_\_\_\_.

\_\_\_\_\_  
United States District Judge

cc: S.J.B.(FILE)

Sandy J. Battista, #M-15930  
Plaintiff/Pro-se

Sincerely,

Thank you for your attention in the enclosed.

- Civil Cover Sheet;
- Motion and Application to Waive Filing Fee and to be Allowed to Proceed In Forma Pauperis;
- Verified Complaint w/Exhibits;
- Application for Temporary Restraining Order, and/or in the Alternative, for Preliminary Injunction;
- Memorandum of Law in Support; and
- Proposed Order to Show Cause and Temporary Restraining Order

Dear Clerk:  
Please find enclosed the originals of the following pro-se filings that I'd like for you to file with the United States District Court:

Clerk of Courts  
U.S. District Court  
1 Courthouse Way, Suite 2300  
Boston, Mass. 02210

Dated: 7/6/05

Sandy J. Battista, #M-15930  
Mass. Treatment Center  
30 Administration Rd.  
Bridgewater, Mass. 02324-3230

U.S. District Court  
Boston, Mass.  
7/8/05

U.S. District Court  
Boston, Mass.  
7/8/05